


#5
B. Webb
1/10/04

AMENDMENT TRANSMITTAL LETTER				Attorney Docket No. AB-126U						
Application Serial Number: 09/929,597		Filing Date: 8/13/2001		Examiner: Joseph S. Machuga		Group Art Unit: 3762				
Title: Fully Implantable Microstimulator for Spinal Nerve, Spinal Nerve Root, and/or Spinal Cord Stimulation as a Therapy for Chronic Pain										
TO THE COMMISSIONER OF PATENTS AND TRADEMARKS: Transmitted herewith is an amendment in the above-identified application. The fee has been calculated as shown below.										
CLAIMS AS AMENDED										
	CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NUMBER PREVIOUSLY PAID FOR	NO. OF EXTRA CLAIMS PRESENT	RATE	ADDITIONAL FEE				
TOTAL CLAIMS	18	MINUS	24	0	\$18	\$0				
INDEP. CLAIMS	2	MINUS	3	0	\$84	\$0				
<input checked="" type="checkbox"/> Petition is hereby made under 37 CFR 1.136(a) to extend the time for response to the Office Action of <u>9/15/2003</u> to and through <u>1/7/2004</u> , comprising an extension of the shortened statutory period of: <table><tr><td><input checked="" type="checkbox"/> one month (\$110)</td><td><input type="checkbox"/> three months (\$930)</td></tr><tr><td><input type="checkbox"/> two months (\$410)</td><td><input type="checkbox"/> four months (\$1,450)</td></tr></table>							<input checked="" type="checkbox"/> one month (\$110)	<input type="checkbox"/> three months (\$930)	<input type="checkbox"/> two months (\$410)	<input type="checkbox"/> four months (\$1,450)
<input checked="" type="checkbox"/> one month (\$110)	<input type="checkbox"/> three months (\$930)									
<input type="checkbox"/> two months (\$410)	<input type="checkbox"/> four months (\$1,450)									
TOTAL ADDITIONAL FEE FOR THIS AMENDMENT										
<input checked="" type="checkbox"/> Charge \$ <u>110.00</u> to Deposit Account <u>50-0648</u> . <table><tr><td><u>2004 Jan 07</u> Date</td><td><u>Laura H. Bishop</u> Laura Haburay Bishop Reg. No. 47424</td></tr></table>							<u>2004 Jan 07</u> Date	<u>Laura H. Bishop</u> Laura Haburay Bishop Reg. No. 47424		
<u>2004 Jan 07</u> Date	<u>Laura H. Bishop</u> Laura Haburay Bishop Reg. No. 47424									
I hereby certify that this correspondence is being facsimile transmitted to the U.S. Patent and Trademark Office, Fax. No. (703) 872-9306 on <u>January 7, 2004</u> . <table><tr><td><u>Laura H. Bishop</u> Laura Haburay Bishop Reg. No. 47424</td></tr></table>							<u>Laura H. Bishop</u> Laura Haburay Bishop Reg. No. 47424			
<u>Laura H. Bishop</u> Laura Haburay Bishop Reg. No. 47424										

01/12/2004 BDENNY 00000306 500648 09929597

OFFICIAL

 <p>ADVANCED BIONICS</p> <p>12740 San Fernando Rd. Sylmar, CA 91342</p>	<p>FAX TRANSMITTAL</p> <p>To: US Patent & Trademark Office Examiner Joseph S. Machuga, Art Unit 3762, phone (703) 305-6184</p> <p>Fax: (703) 872-9306</p> <p>From: Laura Haburay Bishop phone (661) 362-1906 fax (661) 362-1507</p> <p>Date: January 7, 2004</p> <p>Pages: Eleven (11), Including Cover Page</p> <p>Re: Amendment A for S/N 09/929,597, filed 08/13/2001 (August 13, 2001); Attorney Docket No.: AB-126U</p>	<p>Certificate of Transmission</p> <p>I hereby certify this correspondence, including the papers listed, is being facsimile transmitted to the U.S. Patent and Trademark Office, Fax. No. (703) 872-9306</p> <p>on this date: <u>January 7, 2004</u></p> <p>Typed Name: <u>Laura Haburay Bishop</u></p> <p>Signature: <u><i>Laura Bishop</i></u></p> <p>Date: <u>2004 Jan 07</u></p>
--	---	---

MESSAGE:

Please find attached:

- Amendment Transmittal Letter, including authorization to charge \$110 to Deposit Account (1 page); and
- Amendment A, responding to an Office Action mailed 09/15/2003, for Application Serial Number 09/929,597. (9 pages)

Thank you.

☒ Please Acknowledge Receipt of This Communication.

CONFIDENTIALITY NOTICE

The documents accompanying this transmission may contain confidential information intended for a specific individual and purpose. The information is private, and is legally protected by law. If you are not the intended recipient, you are hereby notified that any disclosures, copying, distributions, or the taking of any action in reliance on the contents of this telefaxed information is strictly prohibited.

If you received this communication in error, please call (661) 362-1906 to report such error. To communicate with us by FAX, please dial (661) 362-1507. We receive fax transmissions automatically, 24-hours a day.

Docket No.: AB-126U

6/a
B. Webb
1/10/04

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No.: 09/929,597
Conf. No.: 9184

Applicants: Whitehurst, et al.
Filed: August 13, 2001
TC/A.U.: 3762
Examiner: Machuga, Joseph S.

Title: Fully Implantable Microstimulator for Spinal
Nerve, Spinal Nerve Root, and/or Spinal Cord
Stimulation as a Therapy for Chronic Pain

Docket No.: AB-126U
Customer No.: 23845

Certificate of Transmission

I hereby certify that this correspondence
is being facsimile transmitted to the
U.S. Patent and Trademark Office,
Fax. No. (703) 872-9306

on this date: January 7, 2004

Typed Name: Laura Haburay Bishop

Signature: Laura Bishop

Date: 2004 Jan 07

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RECEIVED
CENTRAL FAX CENTER

JAN 07 2004

OFFICIAL

AMENDMENT A

Dear Examiner:

This amendment responds to the Office action mailed September 15, 2003
(Paper #4) for the subject application. Please amend the above-identified application as
indicated below.

Amendments to the Specification begin on page 2 of this paper.

Amendments to the Claims are reflected in the listing of claims, which begins on
page 3 of this paper.

Remarks/Arguments begin on page 6 of this paper.

Application Number 09/929,597
Amendment dated January 7, 2004
Reply to Office Action mailed September 15, 2003

Page 1 of 9